

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

AT BECKLEY

**UNITED STATES OF AMERICA,
Plaintiff,**

v.

CRIMINAL ACTION NO.: 5:23-cr-00133

**ANDREW FLESHMAN,
Defendant.**

**MOTION TO CONTINUE SENTENCING HEARING
AND TO AMEND DEADLINES**

COMES NOW the Defendant, Andrew Fleshman, by and through his counsel, Matthew A. Bradford and Bradford & Gray, PLLC, Attorneys at Law, and respectfully requests that this Court continue the Final Disposition Hearing that is currently scheduled before this Court for June 20, 2024 at 10:30 a.m. and to amend the Order that was entered on February 13, 2024, to modify the deadlines for objections to the draft presentence report, deadline for the final presentence report, and deadlines for the sentencing memoranda. In support of his motion, the Defendant, Andrew Fleshman, states as follows:

1. That the final disposition for Defendant's case is currently scheduled for June 20, 2024 at 10:30 a.m.
2. That pursuant to the Defendant's plea agreement, the Defendant, Andrew Fleshman, agreed that he will be forthwith and truthful with the United States and other law enforcement agencies with regard to all inquiries made pursuant to the plea agreement, and will give signed, sworn statements and grand jury and trial testimony upon the request of the United States.

3. That there previously was a jury trial scheduled for April 30, 2024 before this Court involving seven other individuals in related cases in which the Defendant has agreed to provide testimony, but that jury trial was rescheduled until July, 2024.
4. That due to such, the Defendant is requesting that his Sentencing Hearing be continued so that he can fulfill all of the terms of his plea agreement.
5. That the Defendant is further requesting additional time to review the Probation Officer's draft presentence report for any objections that he may have.
6. That Counsel for the Defendant has spoken to Counsel for the United States and the United States does not object to the Defendant's request to continue the Sentencing Hearing and to amend the deadlines in this matter.

WHEREFORE, for the foregoing reasons, the Defendant, Andrew Fleshman, respectfully requests that this Honorable Court grant the Defendant's Motion and continue the Final Disposition Hearing currently scheduled for June 20, 2024 at 10:30 a.m. and amend the deadline to file for objections to the draft presentence report, deadline for the final presentence report, and deadline for the sentencing memoranda and grant such other and further relief as the Court deems just and proper.

ANDREW FLESHMAN
By Counsel

/s/ Matthew A. Bradford, Esq.
BRADFORD & GRAY, PLLC
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CERTIFICATE OF SERVICE

I, Matthew A. Bradford, Counsel for the Defendant, Andrew Fleshman, do hereby certify that on this 23rd day of May, 2024, served a true copy of the foregoing **MOTION TO CONTINUE SENTENCING HEARING AND TO AMEND DEADLINES** upon counsel of record as indicated below electronically via the CM/ECF Database:

Christine M. Siscaretti
950 Pennsylvania Avenue
Washington, DC 20530

Monica D. Coleman
300 Virginia Street, East, Suite 4000
Charleston, WV 25301

/s/ Matthew A. Bradford, Esq. _____
Matthew A. Bradford, Esq.

cc: Andrew Fleshman